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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
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11 ALFONZO PICKENS,
12 Petitioner,
13 v.
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15 R.C. JOHNSON,
16 Respondent.
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Case No. 2:22-cv-02124-SB-PD

**ORDER ACCEPTING
REPORT AND ADOPTING,
FINDINGS, CONCLUSIONS,
AND RECOMMENDATIONS
OF UNITED STATES
MAGISTRATE JUDGE, AND
DENYING CERTIFICATE OF
APPEALABILITY**

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20 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, the
21 records on file, and the Report and Recommendation of United States
22 Magistrate Judge. The Court accepts the Report and adopts it as its own
23 findings and conclusions. Accordingly, the Petition is denied and this action is
24 dismissed without prejudice.

25 Further, for the reasons stated in the Report and Recommendation, the
26 Court finds that Petitioner has not made a substantial showing of the denial
27 of a constitutional right and, therefore, a certificate of appealability is denied.
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1 *See* 28 U.S.C. § 2253(c)(2); Fed. R. App. P. 22(b); *Miller-El v. Cockrell*, 537
2 U.S. 322, 336 (2003).

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4 Dated: June 13, 2022

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7 Stanley Blumenfeld, Jr.
8 United States District Judge
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